

STATEMENT OF PURPOSE

RS21703

This is one of a series of bills that the Supreme Court has recommended in its annual report to the Governor concerning defects or omissions in the laws, as required under article V, section 25 of the Idaho Constitution. Idaho Code §§ 19-3939 through 19-3944 concern the procedure to be followed when a misdemeanor conviction is appealed from the magistrate division to the district court. These statutes date back to territorial days, long before the magistrate division came into existence in 1971. They are now obsolete and in conflict with the provisions of the Idaho Criminal Rules governing such appeals. This bill would repeal these outdated statutes, which will help to avoid confusion as to the proper procedure to be followed in these appeals.

FISCAL NOTE

This bill would have no impact on the general fund.

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